

Filed: January 13, 2007
10:50 a.m.

AR Munson

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN MARIANA ISLANDS

LISA BLACK,

Plaintiff

v.

JIM BREWER, et al.,

Defendants

Civil Action No. 05-0038

ORDER DENYING
MOTION TO DISMISS
SUPPLEMENTAL CLAIMS

THE COURT has before it defendant Public School System's motion to dismiss the remaining supplemental claims because summary judgment has been entered against plaintiff on her federal claims.

Due to the imminence of the trial date, and to conserve the resources of the court and the parties, the court will decide the motion without the necessity of a filing by plaintiff or a hearing.

1 As an initial matter, this motion was not preceded by a motion to shorten time,
2 as provided by the local rules. Were the court to hear this motion on its regular
3 motion calendar, it would not come before the court until February 15, 2007, five
4 days before the trial is set to begin.
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6 Title 28 U.S.C. § 1367 allows federal district courts to hear and decide non-
7 federal claims in any civil action in which the court has original jurisdiction, if those
8 claims are so related that they form part of the same case or controversy. Section
9 (c)(3) of the statute provides that the district court *may* decline to exercise jurisdiction
10 over the supplemental claims where, as here, it has disposed of the federal claims.
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13 The court will not dismiss the supplemental claims and will continue to
14 exercise its jurisdiction over them. This lawsuit was filed in November, 2005. The
15 court has presided over all phases of the litigation and the parties have expended
16 significant amounts of time and resources bringing it to this point. Trial is set for
17 February 20, 2007, slightly more than a month away.
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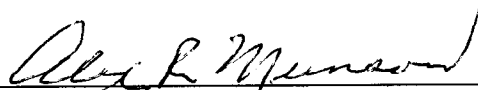
20 Given the significant investment that the court and the parties have in this
21 matter, and the fact that the supplemental claims are so related to the federal claims
22 that they form part of the same case or controversy, that the court is familiar with the
23 law and the facts of the case, and that even defendant recognizes that judicial
24 economy and convenience to the parties are factors to be considered by the
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1 court, the court will continue to exercise jurisdiction over the supplemental claims.

2 Accordingly, the motion is denied.

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4 IT IS SO ORDERED.

5 DATED this 13th day of January, 2007.

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10 ALEX R. MUNSON

11 Judge
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